David J. Brown
345 NW Parr Drive
Pullman, WA 99163

5/31//10

Dear David:

On 05/19/10, the University Appeal Committee met to consider your appeal of the University Conduct Board's decision issued on 04/12/10. The Conduct Board found you responsible for violating WSU regulations, including WAC 504-26-203 and WAC 504-26-207. On 05/14/10, the Division of Student Affairs, Equity and Diversity received your appeal.

The appeal is a review of the record and the appeal letter; it is not a new hearing as outlined in WAC 504-26-407. According to WAC 504-26-407, the appellate board considers:

(a) Whether the university conduct board hearing was conducted fairly and in conformity with prescribed procedures;
(b) Whether the decision was based on substantial information;
(c) Whether the sanction(s) imposed were appropriate for the violation;
(d) New information sufficient to alter a decision or other relevant facts not known to the person appealing at the time of the original hearing.

Your appeal describes that it is based on (a), (b), and (c). Your appeal also indicated that it is based on your belief that the standards of conduct do not apply to the alleged conduct.

The appeal committee carefully considered the contents of your appeal letter and the record. We concluded that contents of your appeal were not compelling and consequently uphold the decision and the sanctions of the Conduct Board.

For the purpose of clarifying our decision, we note that the basis for finding you responsible for violating WAC 504-26-207 in the initial order is not limited to your classroom interaction with Dr. Yoshi on 04/01/10.

Having considered whether the proceeding must be converted to a formal adjudicative hearing under the Administrative Procedure Act, we have determined that no such action is necessary.

Under Washington law, this final order can be appealed to Whitman County Superior Court by filing a petition for review with that court within thirty (30) days from the date that this final order was placed in the mail (RCW 34.05.010(19) and RCW 34.05.514(2)). This order will be placed in the mail on 06/01/10.

Sincerely,

Edwin Hamada
Associate Director
Residence Life

Anita Cory
Director
Center for Fraternity and Sorority Life

cc: Dr. Michael J. Tate, Vice President for Student Affairs, Equity and Diversity
Dr. Chris Wuthrich, Dean of Students
file